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WIRETAPS

BY HARRISON HUMPHRIES

WASHINGTON (AP) -- CIA DIRECTOR STANSFIELD TURNER SAID TODAY THERE ARE SOME RISKS OF INHIBITING FOREIGN INTELLIGENCE-GATHERING IF JUDICIAL WARRANTS ARE REQUIRED FOR NATIONAL SECURITY WIRETAPS IN THE UNITED STATES.

BUT "I THINK THEY ARE RISKS WORTH TAKING," TURNER TOLD A SENATE JUDICIARY SUBCOMMITTEE CONSIDERING A BILL TO TIGHTEN CONTROLS ON NATIONAL SECURITY ELECTRONIC SURVEILLANCE BY GOVERNMENT AGENCIES.

ENDORSED BY PRESIDENT CARTER, THE BILL "STRIKES A FAIR BALANCE BETWEEN INTELLIGENCE NEEDS AND PRIVACY INTERESTS," TURNER TESTIFIED.

IT WAS ENDORSED ALSO BY SECRETARY OF DEFENSE HAROLD BROWN, WHO SAID IT "PROTECTS THE RIGHTS OF AMERICANS NOT ONLY TO THE EXTENT THAT THEY ARE REQUIRED TO BE PROTECTED BY THE COURTS' INTERPRETATIONS OF THE FOURTH AMENDMENT, BUT BEYOND THAT TO THE EXTENT THEY ARE REQUIRED TO BE PROTECTED TO MEET THE REASONABLE EXPECTATIONS OF OUR PEOPLE."

THE BILL DREW FIRE, HOWEVER, FROM THE AMERICAN CIVIL LIBERTIES UNION, PARTICULARLY FOR ITS PROVISION AUTHORIZING WIRETAP WARRANTS AGAINST INDIVIDUALS SUSPECTED OF NON-CRIMINAL CLANDESTINE ACTIVITIES LIKELY TO HARM U.S. SECURITY.

JOHN H.F. SHATTUCK, ACLU ATTORNEY, SAID THAT UNLESS THE BILL IS AMENDED TO LIMIT ALL WIRETAPS TO A CRIMINAL STANDARD, "IT WILL CONSTITUTE A STEP BACKWARD IN CONGRESS' EFFORT TO BRING THE INTELLIGENCE AGENCIES UNDER THE CONTROL OF THE CONSTITUTION."

IN NATIONAL SECURITY CASES, WIRETAPS AND BUGGING ARE AUTHORIZED BY THE ATTORNEY GENERAL UNDER CLAIMS OF INHERENT CONSTITUTIONAL POWER OF THE PRESIDENT TO PROTECT NATIONAL SECURITY. THE BILL WOULD REQUIRE THAT THE ATTORNEY GENERAL APPLY TO ONE OF SEVEN FEDERAL JUDGES TO BE DESIGNATED BY THE SUPREME COURT FOR A WARRANT.

TURNER SAID THERE ARE RISKS THAT THE DEFINITION OF FOREIGN INTELLIGENCE INFORMATION WILL BE TOO NARROWLY CONSTRUED, OR THAT JUSTIFIED WARRANT APPLICATIONS WILL BE DENIED.

HOWEVER, HE SAID, "I AM NOT AWARE OF ANY ELECTRONIC SURVEILLANCE NOW BEING CONDUCTED FOR FOREIGN INTELLIGENCE PURPOSES UNDER CIRCUMSTANCES THAT WOULD NOT JUSTIFY THE ISSUANCE OF A JUDICIAL WARRANT" UNDER THE BILL.

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